



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**Air Pollution Control Division**  
9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243

July 30, 2010

A. Stanley Meiburg  
Acting Regional Administrator  
US EPA, Region IV  
Atlanta Federal Center, 12<sup>th</sup> Floor  
61 Forsyth Street, SW  
Atlanta, GA 30303

RE: Greenhouse Gas Tailoring Rule

Dear Mr. Meiburg:

The State of Tennessee Department of Environment and Conservation, Air Pollution Control Division has initiated rulemaking to add the definition of "subject to regulation" to both our PSD [1200-03-09-.01(4)] and Title V [1200-03-09-.02(11)] regulations. This revision is only necessary to insure the higher applicability thresholds specified in the June 3, 2010 edition of the Federal Register will be in effect. The existing regulations allow the Division to require PSD and Title V permits for major sources of any pollutant EPA determines to be "subject to regulation." The Department will work diligently with the state Attorney General and the Secretary of State so that the revisions will be in effect by January 2, 2011. The proposed revisions to our regulations include all applicable revisions included in the federal rulemaking for both the PSD (40 CFR 51.166) and Title V (40 CFR part 70) regulations.

For Title V, the Department has proposed to add the term "subject to regulation" to the definition of "major source" and to add the definition of "subject to regulation" to our regulations. For NSR, the Department has proposed to add the term "subject to regulation," to revise the language found at 40 CFR 51.166 (b)(49)(iv) to reflect the changes in the final rule, and to add the new language found at 40 CFR 51.166 (b)(49)(v) to our regulations.

Please feel free to contact Lacey Hardin of my staff or me at (615) 532-0554 if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Barry R. Stephens", is written over a horizontal line.

Barry R. Stephens, P.E., Director  
Division of Air Pollution Control

Copy to: Tennessee Air Pollution Control Board  
Rob Raney, Metropolitan Nashville Health Department  
Robert H. Colby, Chattanooga/Hamilton County Air Pollution Control Bureau  
Lynne A. Liddington, Knoxville Dept. of Air Quality Management  
Robert Rogers, Memphis/Shelby County Health Department  
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